

IFW



PATENT
Customer No. 22,852
Attorney Docket No. 05725.1480-00000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re National Stage Application of:)
International Application No.) Group Art Unit: 1645
PCT/FR2003/003714 of:)
Bertrand LION et al.) Examiner: Unassigned
Application No.: 10/538,783)
PCT Filed: December 12, 2003)
35 U.S.C. §371 date: January 9, 2006)
For: NON-TRANSFER COSMETIC)
COMPOSITION COMPRISING A)
DISPERSION OF PARTICLES OF)
A SILICONE-FREE GRAFTED)
ETHYLENE POLYMER IN A)
LIQUID FATTY PHASE)

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Sir:

VIA HAND DELIVERY

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Office the documents listed on the attached Form PTO/SB/08. Under 37 C.F.R. § 1.97(b)(3), this Information Disclosure Statement ("IDS") is being filed before the mailing date of a first Office Action on the merits for the above-referenced application and, therefore, no fee is necessary for its consideration by the Office.

Copies of the listed foreign and non-patent literature documents are attached; however, pursuant to 37 C.F.R. § 1.98(a)(2)(iii), copies of the U.S. Patents and Patent Application Publications are not enclosed. Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

With respect to the following non-English language documents listed on the attached Form PTO/SB/08, Applicants provide the following statements:

1. EP 749 747 - This document is believed to be related to U.S. Patent No. 5,851,517, which is listed on the attached form PTO/SB/08.
2. EP 895 467 - This document is believed to be related to U.S. Patent No. 6,403,106 B1, which is listed on the attached form PTO/SB/08.
3. EP 1 064 919 - This document is believed to be related to U.S. Patent No. 6,534,047 B1, which is listed on the attached form PTO/SB/08.
4. FR 2 722 380 - This document is believed to be related to U.S. Patent No. 6,059,473, which is listed on the attached form PTO/SB/08.
5. FR 2 727 609 - This document is believed to be related to U.S. Patent No. 5,772,347, and U.S. Patent No. 5,879,095, which are listed on the attached form PTO/SB/08.
6. FR 2 746 640 - This document is believed to be related to U.S. Patent No. 6,403,106 B1, which is listed on the attached form PTO/SB/08.
7. FR 2 761 959 - This document is believed to be related to U.S. Patent No. 6,692,173 B2, and U.S. Published Application No. 2002/054783 A1, which are listed on the attached form PTO/SB/08.

8. FR 2 775 566 - An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith.

9. FR 2 791 042 - This document is believed to be related to U.S. Patent No. 6,484,731 B1, which is listed on the attached form PTO/SB/08.

10. FR 2 792 190 - An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith.

11. FR 2 792 618 - This document is believed to be related to U.S. Patent No. 6,328,495 B1, which is listed on the attached form PTO/SB/08.

12. FR 2 796 529 - This document is believed to be related to U.S. Patent No. 6,412,496 B1, which is listed on the attached form PTO/SB/08.

13. FR 2 806 273 - This document is believed to be related to U.S. Patent No. 6,843,611 B2, U.S. Published Application No. 2002/015611 A1, and U.S. Published Application No. 2005/002724 A1, which are listed on the attached form PTO/SB/08.

14. WO 01/03538 - An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: June 27, 2006

By: 
Thalia V. Warnement
Reg. No. 39,064

JUN 27 2006

IDS Form PTO/SB/08: Substitute for form 1449A/PTO

Complete if Known

INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet	1	of	2	Attorney Docket Number	05725.1480-00000
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U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS

Examiner Initials	Cite No. ¹	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	1	US 2002/015611 A1	02/07/2002	Blondeel et al.	
	2	US 2002/054783 A1	05/09/2002	Gueret	
	3	US 2005/002724 A1	01/06/2005	Blondeel et al.	
	4	US 4,887,622	12/19/1989	Gueret	
	5	US 5,492,426	02/20/1996	Gueret	
	6	US 5,625,005	04/29/1997	Mallya et al.	
	7	US 5,772,347	06/30/1998	Gueret	
	8	US 5,851,517	12/22/1998	Mougin et al.	
	9	US 5,879,095	03/09/1999	Gueret	
	10	US 6,059,473	05/09/2000	Gueret	
	11	US 6,139,826	10/31/2000	Schraer et al.	
	12	US 6,328,495 B1	12/11/2001	Gueret	
	13	US 6,403,106 B1	06/11/2002	Sebag et al.	
	14	US 6,412,496 B1	07/02/2002	Gueret	
	15	US 6,484,731 B1	11/26/2002	Lacout	
	16	US 6,534,047 B1	03/18/2003	Bodelin	
	17	US 6,692,173 B2	02/17/2004	Gueret	
	18	US 6,843,611 B2	01/18/2005	Blondeel et al.	

Note: Submission of copies of U.S. Patents and published U.S. Patent Applications is not required.

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
	19	EP 096 459	12-21-1983	Imperial Chemical Industries PLC		-
	20	EP 749 747	12-27-1996	L'Oréal		English Counterpart
	21	EP 895 467	12-10-1999	L'Oréal		English Counterpart
	22	EP 1 064 919	01-03-2001	L'Oréal		English Counterpart
	23	FR 2 722 380	01-19-1996	L'Oréal		English Counterpart

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				<i>Application Number</i>	10/538,783
				<i>Filing Date</i>	June 10, 2005
				<i>First Named Inventor</i>	Bertrand LION
				<i>Art Unit</i>	1645
				<i>Examiner Name</i>	Unassigned
Sheet	2	of	2	<i>Attorney Docket Number</i>	05725.1480-00000

FOREIGN PATENT DOCUMENTS					
	24	FR 2 727 609	06-07-1996	L'Oréal	English Counterpart
	25	FR 2 746 640	10-03-1997	L'Oréal	English Counterpart
	26	FR 2 761 959	10-16-1998	L'Oréal	English Counterpart
	27	FR 2 775 566	09-10-1999	L'Oréal	Abstract
	28	FR 2 791 042	09-22-2000	L'Oréal	English Counterpart
	29	FR 2 792 190	10-20-2000	Sophim	Abstract
	30	FR 2 792 618	10-27-2000	L'Oréal	English Counterpart
	31	FR 2 796 529	01-26-2001	L'Oréal	English Counterpart
	32	FR 2 806 273	09-21-2001	L'Oréal	English Counterpart
	33	WO 97/17057	05-15-1997	Procter & Gamble	-
	34	WO 00/28948	05-25-2000	Procter & Gamble	-
	35	WO 01/03538	01-18-2001	Bourjois	-
	36	WO 03/018423	03-06-2003	Concept Workshop Worldwide LLC	-

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation ⁶
	37	English Language DERWENT Abstract for FR 2 775 566	
	38	English Language DERWENT Abstract for FR 2 792 190	
	39	English Language DERWENT Abstract for WO 01/03538	
	40	GRULKE, "Solubility parameter values," <i>Polymer Handbook</i> , 3 rd edition, Chapter VII, pp. 519-559	
	41	HANSEN, "The three-dimensional solubility parameters," <i>J. Paint. Technol.</i> , 39:105 (1967)	
	42	GILLMAN, <i>Polymer Letters</i> , Vol. 5, pp. 477-481 (1967)	
	43	PRINCE, "Microemulsions Theory and Practice," <i>Academic Press</i> , pp. 21-32 (1977)	
	44	KIRK-OTHMER, <i>Encyclopedia of Chemical Technology</i> , 3 rd edition, Vol. 22, pp. 347-377 (Wiley 1979)	
	45	HULST, "Light Scattering by Small Particles," Chapters 9 - 10, (Wiley 1957)	
	46	International Search Report for PCT/FR 03/03714 (the present application)	

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.